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10 Attorney for Josue Lopez Quintana

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12 **IN THE UNITED STATES DISTRICT COURT**  
13 **FOR THE DISTRICT OF ARIZONA**

14 United States of America,

15 **No. 4:22-cr-02232-JGZ-1**

16 Plaintiff,

17 **SENTENCING MEMORANDUM**

18 vs.

19 **Hearing Date: February 3, 2023**

20 Josue Lopez Quintana,

21 Defendant.

22 Defendant, Josue Lopez Quintana (“Mr. Lopez Quintana”) through undersigned  
23 counsel, Annamarie Valdivia, submits the attached memorandum for this Court’s  
24 consideration at the time of sentencing pursuant to Fed.R.Crim.P. 32, *Gall v. United States*,  
25 552 F.3d 38 (2007) and the Eighth Amendment to the United States Constitution.

26 Mr. Lopez Quintana is a criminal history category I and he has no prior criminal  
27 history. Mr. Lopez Quintana respectfully requests that this Court sentence in accordance  
with the recommendations of the United States Probation Office and the United States  
Attorney. Such a finding would be “sufficient, but not greater than necessary, to comply  
with the purposes set forth in” 18 U.S.C § 3553(a).

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2 Mr. Lopez Quintana was forthcoming with the agents that detained and interviewed  
3 him. He plead swiftly in this case waiving his trial and his appellate rights and has  
4 performed well on pretrial services. Mr. Lopez Quintana is gainfully employed, and he  
5 does not abuse drugs or alcohol. He abstained from using marijuana while on supervision. Mr.  
6 Lopez Quintana has an extremely supportive network of friends and family, and he does  
7 not suffer from any mental or physical ailments. All of these positive factors illustrate that  
8 he is at low risk to recidivate.  
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11 Based on the above, Mr. Lopez Quintana respectfully requests that this Court impose a  
12 sentence of probation. He does not object to recommended conditions as contained in the  
13 Final Presentence Investigation Report (Doc. 36).  
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17 RESPECTFULLY SUBMITTED: January 30, 2023.  
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20 JON M. SANDS  
21 Federal Public Defender  
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24 *s/Annamarie L. Valdivia*  
25 **ANNAMARIE L. VALDIVIA**  
26 Assistant Federal Public Defender  
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Copy sent *via* CM/ECF to: Jane Westby, Assistant United States Attorney